

Appl. No. : 09/808,421  
Filed : March 13, 2001

### REMARKS

As indicated during the September 6, 2006, telephonic interview, Applicant maintains that U.S. Patent No. 6,470,338 to Rizzo ("Rizzo") does not disclose any system used to provide services or used during the providing of services, and thus does not disclose any service-enhancing systems or service-enhancing means, or the use of any communication-enhancing system to provide services. The systems disclosed in Rizzo are used before any services are ever initiated, and there is no disclosure of any systems or means used to provide or enhance services.

In addition, neither Rizzo nor any of the cited references, discloses receiving an agreement from a service provider to communicate with a client according to a predetermined frequency. Also, neither Rizzo nor any of the cited references, discloses monitoring a frequency of communications between a service provider and a client.

For the above reasons, Applicant respectfully submits that the claims, as presently amended based on the Examiner's suggestions during the September 6, 2006 telephonic interview, are patentably distinct from anything disclosed in any of the cited references, whether considered individually or in combination.

Applicant respectfully requests that the present application be passed to issuance. If there are any remaining impediments, the Examiner is invited to call the undersigned at the telephone number provided below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,  
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 9/7/06

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